



Town of Oak Bluffs  
**WASTEWATER DEPARTMENT**  
17 Pennsylvania Avenue  
P.O. Box 1526  
Oak Bluffs, Ma. 02557  
*Phone 508-693-0343 Fax 508-696-6035*

### **Commissioner's Meeting Minutes**

July 12, 2023

#### **Call to order:**

A monthly commissioner's meeting of the Oak Bluffs Wastewater Department was called to order at 3:07 PM, on July 12, 2023 by Gail Barmakian, Chairperson.

#### **Oak Bluffs Wastewater Commissioners present:**

Gail Barmakian, Commissioner

Bill Alwardt, Commissioner

Cassandra Bowler, Commissioner

#### **Oak Bluffs Wastewater Treatment Facility Employees Present:**

Patrick Hickey, Facilities Manager

Bridget Palmieri, Administrative Assistant

#### **Guests in attendance:**

**In Person:** Julie Keefe, Michael Sullivan

#### **Business:**

##### **Agenda Item #1: Facilities Manager Update**

##### Discussion:

Patrick Hickey, Facilities Manager began that we have had issues with the Steamship Authority reservations for sludge trucks operated by JP Noonan. The employee at JP Noonan who was instructed by us in



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early April to reserve the ferries left the company suddenly and did not make them. Discussion continued on the sludge process and frequency needs for the Summer, as well possible solutions for moving forward, including having a contract with JP Noonan.

Patrick Hickey continued that we are down to operating on one sand filter, as the gear box failed on the second. He continued, we did have an extra one on the shelf, however it was not correct, We ordered a new one which had to be fabricated, however the shift size was not correct, so it needed to be sent back to be bored out. He said it is an issue not to have the backup, however we have had dirty decants as we are organically overloaded, partly due to operator error, which creates a bit of dirty water going through the filter. Gail Barmakian commented that equipment is starting to break down, to which Patrick Hickey replied yes.

Discussion moved onto staffing. Patrick Hickey reminded the commission that one of the operators has submitted an "Intend to Retire" letter to retire on December 3, 2023.

Patrick Hickey continued that the DEP (Department of Environmental Protection) did a site visit. Gail Barmakian added that they did a review, which hasn't been done in a few years (2019), which is interesting as it is coming at a time when we are applying for the CWMP (Comprehensive Wastewater Management Plan) expansion. Patrick Hickey recapped the visit and discussed what improvements can be made.

Patrick Hickey said he received a call from the Affordable Housing Committee and both Affordable Housing and the YMCA are interested in the progress of the CWMP and when flow will be available. Discussion continued regarding how the plans had changed for both the YMCA and Affordable Housing and that by waiting for the expansion it would save them funds. Patrick Hickey said he told them that nothing is guaranteed until we are under construction. Gail Barmakian added we have been delayed in the process. Patrick Hickey said GHD, our engineers, are worried about inflation and they high recommend we apply for SRF (State Revolving Fund) for next year as well, as the deadline is August 11, 2023. Discussion continued on funding and where the expansion process is at.

Patrick Hickey left the meeting at 3:41PM.

**Agenda Item #2:** 28 Kennebec Avenue - Notalot Farm Stand (Previously Kennebec Farm Stand) - Julie Keefe - Continuation from Commission Meeting on June 28, 2023

Recap: Oak Bluffs Wastewater Commission Meeting Minutes; June 28, 2023.

Exhibits:

1. Commissioner's Meeting Agenda Request Form (Revised from June 28, 2023 meeting)



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2. Application for Change of Use or Flow (Revised from June 28, 2023 meeting)
3. Floor Plans dated 06/09/23 & 06/30/23
4. Board of Health Food Establishment Plan Review Application dated 07/11/23
5. Proposed Menus 2018 & 2023
6. Meeting Minutes from December 12, 2018
7. Copy of check for Change of Use or Flow application fee

Discussion:

Gail Barmakian began that this is a continued discussion from a June 28, 2023 Commission meeting and the applicants have also submitted another application with changes.

Julie Keefe said to recap, at the last meeting there were concerns about how much water would be used, so she revised her ideas and is willing to just have an oven, so she will not be mixing or prepping anything, as she previously had a mixer on her plan and cookies on her menu. Gail Barmakian said that she understood her proposal to be only pre-made items (that would be frozen or need to be heated up offsite). Julie Keefe said she did have hot dogs and frozen lemonade on and was modifying her menu to only have items that need to be cooked in an oven, like bread. And no juicing. Gail Barmakian looked at the floor & site plan and said a mixer was still on it. She continued, we don't approve menus and we can't control what you have in the kitchen, however we ask for menus to see the nature of the change of use. So, if there is cooking and food, it shows us a change of use. Gail Barmakian read to the group the Wastewater Regulations (Article 13, section 4) and said that this is what we are going by. Cassandra Bowler said she does see the floor plan that shows no mixer and pressed juices/coffee. Gail Barmakian continued that we don't measure what you use on a daily basis, however we use a guide to give us parameters. It seems that it will be increasing flow and the service of food does trigger an increase of flow. She added we try and set a standard that is applied to everyone.

Cassandra Bowler said while reviewing the proposed menu it seems as if everything, but the very bottom items are ok, as there is a freezer, refrigerator, can goods, prepackaged crackers, pasta and cookies, grocery items as well as prepackaged meats, cheese and dairy. She continued, all of this is grab-and-go you are putting in your farm stand, so the only change seems to be the bottom items. Gail Barmakian responded that the difference is the preparation, not the warming of food. She continued that a grocery store is far different from preparing items, whether it's pre-frozen items or pastries and desserts which you have an oven for. Common sense says that when you have a commercial stove and with all these things you are making and effecting, this will incur flow. This building started out with no flow, as it was



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a garage. We tried to work with you by having you take out a bedroom, as we do with everyone else. You were able to open a grocery store that was all prepared and self-contained items. And because you needed a bit more flow than a bedroom, we gave you that, but now it's at another step more. Therefore, I personally am not inclined to approve this and there will be more washing and more use of water or the potential to be.

Michael Sullivan said that the plan did change from what it originally was. He continued that he and Julie Keefe were not at that early meeting, however his brother Chuck Sullivan and David Keefe were there and brother was under the impression that you wanted us to prepare food, maybe he misunderstood. Gail Barmakian responded that if you look at the minutes from that meeting it is quite clear. Michael Sullivan said he wanted everyone to know the reason the plan had changed.

Discussion moved on to the equipment and the original floor plan submitted in 2018. Julie Keefe said the floor plan and equipment remained the same. Gail Barmakian said the copy they have in the records shows a floor plan without all the equipment in it and it did not have an oven. Julie Keefe said the Board of Health had them put in the sinks and grease trap. Cassandra Bowler confirmed with Julie Keefe that they had her do that based on just the handling of produce.

Gail Barmakian said she is concerned with the best interest of the town and its safety, as the plant is at the end of a life span. The facility is at or over capacity and we cannot violate our permit. We hope to expand our capacity in the next year, as we are planning on it. She said to Julie Keefe, "If you can wait a year or so for this to happen, we can easily allow these increases".

Julie Keefe questioned the flow from the removed one bedroom. Gail Barmakian responded that there was no flow in the garage, so you used up the flow from the bedroom from just opening a grocery store, there is no extra left. Cassandra Bowler added it was approved as a farm stand/grocery store and it was approved with the exception of baking the bread onsite, so you can have your fruits and vegetables and your meat and dairy cases, the cooler for bottled drinks and can goods, packaged cookies, crackers and pasta. No cooking is needed, so no stove needed. She continued, in a year or two when we have more capacity, there is no reason you couldn't come before us to add an oven. She is ok with them moving forward with everything, but the baking of the bread and pastries and an oven.

Bill Alwardt also agreed to only prepared food, which was the original approval and with no oven added. Gail Barmakian clarified that this was the original approval with no modifications.

Motion:

The motion to deny the modification request made by Notalot Farm was made by Cassandra Bowler. The motion was seconded by Bill Alwardt.



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Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian-Aye

Cassandra Bowler -Aye

Julie Keefe questioned if she needed to return, to which Gail Barmakian replied not if you are going to do your original plan. However, if you have another plan you can come back. Cassandra Bowler added as long as you are not preparing any food onsite, you are good to open as far as Wastewater is concerned.

Discussion continued amongst the Commission regarding Winston's Kitchen.

**Agenda Item #3: Review Minutes**

Gail Barmakian asked if all commission members had a chance to review the meeting minutes, to which they responded yes.

The motion to accept the meeting minutes for April 26, 2023, May 18, 2023 and May 3, 2023 was made by Bill Alwardt. The motion was seconded by Cassandra Bowler.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian-Aye

Cassandra Bowler -Aye

Discussion continued regarding the remaining meeting minutes that need to be finalized and approved.

**Agenda Item #3: Commissioner's Update**

Discussion:



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Gail Barmakian updated the commission on the CWMP (Comprehensive Wastewater Management Plan). She said the application is on its way to MEPA (Massachusetts Environmental Policy Act) and all the boards will get official copies of it. She continued that DEP (Department of Environmental Protection) is then to sign off on it or provide comments and they seem to be the ones holding it up. After that, it goes to the Select Board and then the State Revolving Fund. She said she was very happy, as everything is still moving and we are ahead. Also, the Cape and Island Water Trust sent a letter that said you are not guaranteed 25%, it's now going to be 12.5% and for the Governor to pls. do something to provide the shortfall in funding, so there may be something at the state level that may compensate. Discussion continued regarding funding.

Discussion continued regarding staffing and that we will still need to advertise. Also, word of mouth will be helpful.

Motion:

The motion to adjourn the meeting was made by Bill Alwardt. The motion was seconded by Cassandra Bowler.

Roll Call Vote:

All commissioners voted to approve the motion.

Cassandra Bowler -Aye

Bill Alwardt -Aye

Gail Barmakian-Aye

Meeting was adjourned at 4:22pm.